

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

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2012 SEP 19 A 10:45

Johnny Mack Thacker,

Plaintiff,

v.


Civil Action No. 3:12-1830-SB

Assistant Solicitor Nicole Simpson;
Assistant Solicitor Justin Williams;
Jeanette W. McBride, Clerk of Court;
Anne G. Kelly, Chief Deputy
Clerk of Court.

Defendants.

ORDER

This matter is before the Court upon the Plaintiff's pro se complaint, which was filed pursuant to 42 U.S.C. § 1983. By local rule, the matter was referred to a United States Magistrate Judge for preliminary determinations.



On August 24, 2012, United States Magistrate Judge Paige J. Gossett issued a report and recommendation ("R&R") analyzing the Plaintiff's complaint and recommending that the Court summarily dismiss the complaint without prejudice and without issuance and service of process. Specifically, the Magistrate Judge determined that the Plaintiff must present his speedy trial claims under 28 U.S.C. § 2241 and not § 1983. In addition, the Magistrate Judge found that Defendants Simpson and Williams, as prosecutors, as well as Defendants McBride and Kelly, as clerk of court and deputy clerk of court, are immune from suit. Attached to the R&R was a notice advising the Plaintiff of the right to file specific, written objections to the R&R within fourteen days of the date of service of the R&R. To date, no objections have been filed.

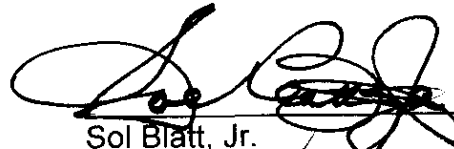
Absent timely objection from a dissatisfied party, a district court is not required to

review, under a de novo or any other standard, a Magistrate Judge's factual or legal conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985); Wells v. Shriners Hosp., 109 F.3d 198, 201 (4th Cir. 1997).

Here, because the Plaintiff did not file any specific, written objections, there are no portions of the R&R to which the Court must conduct a de novo review. Accordingly, after consideration, it is hereby

ORDERED that the Magistrate Judge's R&R (Entry 9) is adopted, and the Plaintiff's complaint is dismissed without prejudice and without issuance and service of process.

IT IS SO ORDERED.


Sol Blatt, Jr.
Senior United States District Judge

September 17, 2012
Charleston, South Carolina

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